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. 7		BEFORE THE	
8	BOARD OF REGISTERED NURSING		
9	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
10 11	In the Matter of the Accusation Against: Case No. \mathcal{Z}	011-973	
	MARISSA A MUCIO ACCUSA	тіоп	
12	AKA MARISSA BUNUAN ANEZ		
13	San Bernardino, CA 92408		
14	Registered Nurse License No. 380168		
15	Respondent.		
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18	Complainant alleges:		
19	<u>PARTIES</u>		
20	1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her		
21	official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),		
22	Department of Consumer Affairs.		
23	Registered Nurse License		
24	2. On or about October 31, 1984, the Board issued Registered Nurse License Number		
25	Marissa A. Mucio, aka Marissa Bonoan Anez ("Respondent"). The registered nurse license		
26	expired on January 31, 2010, and has not been renewed.		
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28	28 ///		
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ACCUSATION

STATUTORY PROVISIONS

- 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 4. Code section 118 provides, in pertinent part, that the withdrawal of an application for a license after it has been filed with a board . . . shall not deprive the board of its authority to institute or continue a proceeding against the applicant for the denial of the license upon any ground provided by law or to enter an order denying the license upon any ground.
- 5. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
 - 6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action....

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Disciplinary Action by the Nevada State Board of Nursing)

- 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that she was disciplined by the Nevada State Board of Nursing ("Nevada Board"), as follows:
- 9. On or about November 6, 2006, pursuant to a Board Order, in the case entitled *In the Matter of Marissa Mucio Licensed Professional Nurse Nevada License No. RN37083*, Case No. 0407-06C, the Nevada Board REVOKED Respondent's nursing license.
 - 10. The Nevada Board based its Order on the following facts and admissions:
 - a. On or about February 2006, Respondent was employed as a registered nurse at Valley Hospital, located in Las Vegas, Nevada.
 - b. On or about February 24, 2006, while on duty at Valley Hospital, Respondent fraudulently created a check from Valley Hospital to herself in the amount of five hundred ninety nine dollars (\$599.00) and attempted to cash the check.
 - c. Respondent was formally charged regarding the fraudulent check but failed to appear at a hearing before the Nevada Board on September 21, 2006.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

11. Respondent is subject to discipline under Code section 2761, subdivision (a), on the grounds of unprofessional conduct, in that Respondent committed acts constituting unprofessional conduct, as more fully set forth in paragraphs 8 through 10, above.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 380168, issued to Marissa A. Mucio, aka Marissa Bonoan Anez;

ACCUSATION